

In re the Application of:

Thomas SCHMEHL et al.

Art Unit: not yet assigned

Application No.: 10/510,040

Examiner: not yet assigned

Filed: October 1, 2004

Attorney Dkt. No.: 12007-0043

For: NEBULIZED LIPOSOMES FOR THE PULMONARY APPLICATION OF  
DRUG COMPOUNDS (AS AMENDED)

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

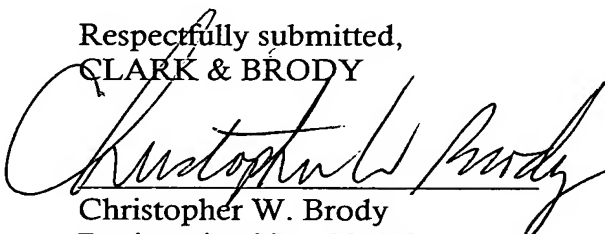
Sir:

In accordance with the provisions of 37 C.F.R. 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached form PTO-1449. It is respectfully requested that the references be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Since this application was filed after June 30, 2003 and as permitted by Rule 1.98(a), copies of the U.S. references are not included herewith.

Consideration of the attached prior art is respectfully requested when this application is given its examination on the merits. Applicants respectfully submit that this disclosure is being made with the filing of the application, hence, no fee is required, however, please charge any fee deficiency or credit any overpayment to Deposit Account No. 50-1088.

Respectfully submitted,  
CLARK & BRODY



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Date: June 21, 2005

FORM PTO-1449  U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT  (Use several sheets if necessary)	ATTY. DOCKET NO. <b>12007-0043</b>	SERIAL NO. <b>10/510,040</b>
	APPLICANT <b>Thomas SCHMEHL et al.</b>	
	FILING DATE <b>10/01/2004</b>	GROUP ART UNIT <b>Not yet assigned</b>

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CLASS	SUB- CLASS	FILING DATE
	1.	5,662,929	09/02/1997	LEGACE et al.			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION		
							YES	NO	PART.
	2.	0 361 894	09/27/1989	EP			X		
	3.	02/03959A1	01/17/2002	WO			X		

## OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

	4.	M. Singh, et al., "Stealth monensin liposomes as a potentiator of adriamycin in cancer treatment", Journal of Controlled Release, Elsevier Science Publishers, Vol. 59, No. 1, May 1, 1999
EXAMINER		DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>		